

Apr-14-1981

FILE: MINUTES

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, APRIL 14, 1981
AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING: The meeting was called to order by Deputy Mayor Mitchell at 8:52 a.m. City Clerk Abdelnour introduced March Fong Eu, Secretary of State of the State of California. The meeting was recessed by Deputy Mayor Mitchell at 11:26 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Wilson at 2:09 p.m. with Councilmembers Golding, Schnaubelt, and Killea not present.

Mr. Ernesto Cohen of Solar Corporation, accompanied by city officials from Rio Grande and Tierra del Fuego, Argentina, were welcomed by Mayor Wilson. Mayor Wilson accepted a plaque presented to the City of San Diego by Mr. Luis Martisia, President of the Public Utility in Rio Grande. Mayor Wilson stated that the plaque would be displayed in the lobby of the City Administration Building for all to view, and extended his thanks, good wishes and greetings to Mayor Ferrera.

The meeting was recessed into the Redevelopment Agency by Mayor Wilson at 2:13 p.m. The meeting was convened as the Joint City Council/Redevelopment Agency by Mayor Wilson at 2:45 p.m. with Councilmember Killea not present. The Joint meeting was adjourned by Deputy Mayor Mitchell at 3:22 p.m. and immediately reconvened as the City Council by Deputy Mayor Mitchell with Councilmember Killea and Mayor Wilson not present. The meeting was adjourned by Deputy Mayor Mitchell at 3:44 p.m. into Closed Session in the 12th Floor Conference Room regarding pending litigation.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-present.

- (1) Councilmember Mitchell-present.
 - (2) Councilmember Cleator-present.
 - (3) Councilmember Golding-present.
 - (4) Councilmember Williams-present.
 - (5) Councilmember Schnaubelt-present.
 - (6) Councilmember Gotch-present.
 - (7) Councilmember Murphy-present.
 - (8) Councilmember Killea-not present.
- Clerk-Abdelnour (eb,mp)

Apr-14-1981 ITEM-1:

FILE: MINUTES

DESCRIPTION:

Clerk Abdelnour called the roll:

Mayor Wilson-not present.

Councilmember Mitchell-present.

Councilmember Cleator-present.

Councilmember Golding-not present.

Councilmember Williams-present.

Councilmember Schnaubelt-present.

Councilmember Gotch-present.

Councilmember Murphy-present.

Councilmember Killea-not present.

Apr-14-1981 ITEM-330:

DESCRIPTION: (R-81-1829)

FILE:

DESCRIPTION:

a - Proposal to adopt the Pacific Beach LCP (Local Coastal Plan) Land Use Plan as an amendment to the existing Mission-Pacific Beach Community Plan, adopted by City Council Resolution No. R-201201 on November 5, 1970; b - Proposal to amend the Progress Guide and General Plan for The City of San Diego concerning that portion covered by the proposed Pacific Beach LCP Land Use Plan, to become effective when the amendment to the General Plan Map is adopted after a hearing on or about June 23, 1981; and c - Proposal to adopt the Pacific Beach LCP Land Use Plan for submittal to the California Coastal Commission. This Land Use Plan is intended to meet the requirements of the California Coastal Act of 1976. The area is generally bounded by I-5 on the east, Mission Bay Park and the Mission Beach Community on the south, the Pacific Ocean on the west and the community of La Jolla on the north. (DISTRICT-6.) Today's action is adoption of a RESOLUTION approving the Pacific Beach LCP Land Use Plan as an amendment to the existing Mission-Pacific Beach Plan; as an amendment to the Progress Guide and General Plan for the City of San Diego, to be effective when the amendment to the General Plan Map is adopted after a hearing on or about June 23, 1981; and the submittal of the Pacific Beach LCP Land Use Plan to the California Coastal Commission.

FILE: LAND Pacific Beach LCP (Local Coastal Plan) Land Use Plan

COUNCIL ACTION:

(Tape location: A074-B400, B500-D398).

Adopted as Resolution R-254009.

Hearing began 8:55 a.m. and recessed 10:02 a.m. Hearing resumed 10:08 a.m. and halted 11:25 a.m.

Councilmembers Williams and Golding left 10:56 a.m.

Councilmember Golding entered 11:18 a.m.

Councilmember Williams entered 11:21 a.m.

Testimony in opposition by Dirk Kingma, Leon Camprell, Ann Merrill, Chris Carlton, Dan Stoll, Elsa Fuller and Jim Lester.

Testimony in favor by Marge Strolling, Ross Stockwell, Paul Petersen, Max Treece, Vernon Taylor, and Dick Bundy.

Motion by Murphy to suspend the rules to allow staff to respond to each question as it is asked. Second by Golding. Failed by the following vote:

Yeas-2, 3, 5, 6, 7. Nays-1, 4. Not present-8, M.

Motion by Murphy to suspend the rules to extend time for testimony to 30 minutes per side. Second by Gotch. Passed by the following vote: Yeas-1, 2, 3, 4, 5, 6, 7. Nays-None. Not present-8, M.

MOTION BY GOTCH TO ADOPT AND DIRECT THE PLANNING DEPARTMENT TO MAKE THE FOLLOWING AMENDMENTS TO THE PACIFIC BEACH LOCAL COASTAL PROGRAM LAND USE PLAN:

1) MODIFY CURB CUTS AS STAFF RECOMMENDED; 2) DELETE THE DENSITY BONUS ISSUE;

3) ADD THE RECOMMENDATION THAT THE BLOCK BOUNDED BY PACIFIC BEACH DRIVE, RIVIERA DRIVE, GRAHAM STREET AND GRESHAM STREET BE REZONED FROM R-3 TO R-2-A;

4) ADD TO THE DESIGNATION OF VISITOR-COMMERCIAL USES THAT THE PRIMARY

ACTIVITIES ARE FOR SERVING VISITORS; AND 5) REGARDING TRANSPORTATION RECOMMENDATIONS: (A) DELETE RECOMMENDATION 1B, INGRAHAM STREET WIDENING, (B)

ADD TO RECOMMENDATION 2, PACIFIC BEACH DRIVE EXTENSION, THE STATEMENT THAT THE

CITY'S CAPITAL IMPROVEMENT BUDGET SHOW IT AS A HIGH PRIORITY ITEM, AND (C)

REMOVE ON-STREET PARKING ON GRAND AVENUE TO ACCOMPLISH THE WIDENING TO 6

LANES, DELETING THE REFERENCE TO ONE-WAY PAIRS AND ADDING THAT OTHER

ALTERNATIVES BE STUDIED. Second by Murphy. Passed by the following vote:

Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Murphy-yea. Killea-not present. Mayor Wilson-not present.

Apr-14-1981 ITEM-331:

DESCRIPTION: (R-81-1828)

FILE:

DESCRIPTION:

Proposed submittal of the Border Highlands LCP (Local Coastal Program) Land Use Plan to the California Coastal Commission. The area is located generally south of Monument Road between Dairy Mart Road and the Border Field State

Park. This Plan is intended to meet the requirements of the California Coastal Act of 1976. (DISTRICT-8.) Today's action is adoption of a RESOLUTION approving the submittal of the Border Highlands LCP Land Use Plan to the Coastal Commission.

FILE: LAND Border Highlands LCP

COUNCIL ACTION:

(Tape location: B493-B500).

Continued to April 21, 1981, 10:00 a.m.

MOTION BY GOTCH TO CONTINUE TO APRIL 21, 1981, 10:00 A.M. TIME CERTAIN AT COUNCILMEMBER KILLEA'S REQUEST. Second by Murphy. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-not present. Mayor

Wilson-not

present.

Apr-14-1981 ITEM-332:

FILE:

DESCRIPTION:

a - Proposal to adopt the OTAY MESA COMMUNITY PLAN. This Plan encompasses approximately 20,600 acres east of I-805 and north of the international border with Mexico; also includes county territory adjoining Brown Field. b

- Proposal to amend the Progress Guide and General Plan for the City of San Diego - to amend the Map concerning those portions covered by the proposed Otay Mesa Community Plan, to be effective when the amendment to the General Plan Map is adopted after a hearing on or about June 23, 1981. (DISTRICT-8.)

Subitem-A: (R-81-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-77-07-12 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-81-)

Adoption of a RESOLUTION approving the Otay Mesa Community Plan, to be effective when the amendment to the General Plan Map is adopted after a hearing on or about June 23, 1981.

Subitem-C: (R-81-)

Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-77-07-12.

FILE: LAND Otay Mesa Community Plan

COUNCIL ACTION:

(Tape location: E010-045)

Continued to April 27, 1981, at 3:00 p.m. time certain.

Hearing began at 2:09 p.m. and halted at 2:13 p.m.

MOTION BY MURPHY TO CONTINUE TO APRIL 27, 1981, AT 3:00 P.M. TIME CERTAIN, AT

THE REQUEST OF COUNCILMEMBERS KILLEA AND MURPHY, CITY MANAGER BLAIR, AND MARY

SHEEHAN OF THE COUNTY BOARD OF SUPERVISORS. Second by Williams. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-not present.

Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-not present.

Mayor Wilson-yea.

Apr-14-1981 ITEM-333:

FILE:

DESCRIPTION:

Amending Chapter X, Article 3, Division 3 of the SAN DIEGO MUNICIPAL CODE by AMENDING SECTION 103.0304.1 of the LA JOLLA SHORES PLANNED DISTRICT Ordinance

by changing the density of TRACT H (approximately 7.0 acres) from the present SINGLE FAMILY (SF) ZONE density of approximately 2 dwelling units per acre to MULTI-FAMILY RESIDENTIAL density of 12 dwelling units per acre in order to permit the construction of 84 condominium units. The subject property is located on the west side of Gilman Drive, north of the I-5 ramp, and is more particularly described as Tract H, portion of Pueblo Lot 1291 of the Pueblo Lands of San Diego, Miscellaneous Map No. 36, and is within the boundaries of the La Jolla Shores Precise Plan. (DISTRICT-1.) This matter was considered by the Council on May 13, 1980, at which time the Council directed the Planning Department to further review the La Jolla Shores Precise Plan prior to a hearing before the Council on November 18, 1980, after completion of renoticing. This matter was considered by Council on January 27, 1981, at which time the Council directed the Planning Department, the Planning Groups and the developers to further review the matter in order to reach a compromise.

Subitem-A: (R-81-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-79-10-17 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-80-262)

INTRODUCTION of an ORDINANCE amending Chapter X, Article 3, Division 3 of the

San Diego Municipal Code by AMENDING SECTION 103.0304.1 of the LA JOLLA SHORES PLANNED DISTRICT ORDINANCE pertaining to density requirements for TRACT H.

Subitem-C: (R-80-1763)

Adoption of a RESOLUTION AMENDING THE LA JOLLA SHORES PRECISE PLAN.

FILE: LAND La Jolla Shores Planned District

COUNCIL ACTION:

(Tape location: F418-459)

Continued to May 5, 1981, at 9:00 a.m. time certain.

Hearing began at 3:22 p.m. and halted at 3:24 p.m.

MOTION BY WILLIAMS TO CONTINUE TO MAY 5, 1981, AT 9:00 A.M. TIME CERTAIN, AT

CITY MANAGER BLAIR'S REQUEST. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-not present. Mayor

Wilson-not

present.

Apr-14-1981 ITEM-334:

FILE:

DESCRIPTION:

(Continued from the Meetings of December 15, 1980, and February 3 and 17, 1981; last continued to allow parties to reach an agreement. It is requested that testimony be limited to additional information not previously covered.)

Four Resolutions relative to improving GOLDFINCH STREET between its southerly termination and Spruce Street: (1911 Street Improvement Act.) (Middletown Community area. DISTRICT-8.)

Subitem-A: (R-81-672)

CERTIFYING that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-79-02-35 has been completed in compliance with the California

Environmental

Quality Act of 1970 and State guidelines and that said report has been reviewed and considered by the Council.

Subitem-B: (R-81-673)

Adoption of a Resolution ORDERING the WORK and directing NOTICE INVITING BIDS.

Subitem-C: (R-81-)

Adoption of an 8_vote RESOLUTION OF FEASIBILITY.

Subitem-D: (R-81-1072)

Adopting those findings made with respect to ENVIRONMENTAL IMPACT REPORT EIR-79-02-35 as its findings, pursuant to California Public Resources Code

Secti
21081.

FILE: STRT J-2226

COUNCIL ACTION:

(Tape location: F460-G045)

Continued to May 5, 1981, at 10:00 a.m. time certain.

Hearing began at 3:24 p.m. and halted at 3:37 p.m.

After an explanation of the 8-vote requirement, testimony against the continuance by Sharon Haven and Fred Blacksmith was not presented. There were at least twenty-one people in attendance regarding this item.

Motion by Williams to continue to April 21, 1981, at 8:30 a.m. time certain.

Second by Gotch. No vote.

MOTION BY GOTCH TO CONTINUE TO MAY 5, 1981, AT 10:00 A.M. TIME CERTAIN.

Second

by Williams. Passed by the following vote: Mitchell-yea. Cleator-yea.

Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea.

Killea-not present. Mayor Wilson-not present.

Apr-14-1981 ITEM-S500:

DESCRIPTION: (R-81-1867) Declaring that the City hereby accepts the ASSIGNMENT and TRANSFER of the Redevelopment Agency of the City of San Diego's right to REPURCHASE LOT 3 of the MARKET STREET INDUSTRIAL PARK REDEVELOPMENT PROJECT,

which right to repurchase is set forth in the Instrument Effecting and Imposing a Lien on Real Property; authorizing the CITY MANAGER to take all actions necessary to REPURCHASE said lot; authorizing the ADDITION of a NEW CAPITAL IMPROVEMENTS PROJECT (CIP-39-051, Market Street Industrial Park, Lot 3 - Repurchase) to the FY 1981 Capital Improvements Program; authorizing the TRANSFER of \$356,500 from CIP-39-016.3 (Torrey Pines Science Park Unit No. 2, Lot 6 - Repurchase) to CIP- 39-051 (Market Street Industrial Park, Lot 3 - Repurchase); authorizing the EXPENDITURE not to exceed \$356,500 from the INDUSTRIAL DEVELOPMENT FUND 30248, CIP-39-051 for the repurchase of said lot. (Southeast San Diego Planning area. DISTRICT-4.)

FILE: -

COUNCIL ACTION:

(Tape location: E285-F415).

Returned to the City Manager.

MOTION BY WILLIAMS TO RETURN TO THE CITY MANAGER INASMUCH AS THIS IS A

COMPANION ITEM TO ITEM 6 OF THE JOINT CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA

WHICH WAS RETURNED TO THE CITY MANAGER. Second by Murphy. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-not present. Mayor

Wilson-not present.

Apr-14-1981 ITEM-CS-1:

DESCRIPTION:

(R-81-1911) A Resolution adopted by the City Council in Closed Session on April 14, 1981:

Authorizing the City Manager to pay the total sum of \$254,000 in settlement of Superior Court Case Number 433980, and of each and every claim against the City, its agents and employees, resulting from the personal injuries to Frances D'Alessio; authorizing the City Auditor and Comptroller to issue one check in the amount of \$254,000 to Frances D'Alessio and her Attorney George P. Andreos in full settlement of all claims.

FILE: (MEET) CITY_

COUNCIL ACTION: Adopted as Resolution R-254011.

Apr-14-1981 ADJOURNMENT:

FILE: MINUTES

DESCRIPTION:

By common consent, Deputy Mayor Mitchell adjourned the meeting at 3:44 p.m. into Closed Session in the 12th Floor Conference Room regarding pending litigation.

ITEM-S501:

DESCRIPTION:

Matter of INSTRUCTING the CITY'S REPRESENTATIVE to SANDAG to present the CITY'S POSITION on the OVERALL WORK PROGRAM as set forth in City Manager Report CMR-81-149. (See City Manager Report CMR-81-149.)

COMMITTEE ACTION:

Reviewed by TLU on 4/13/81. Recommendation to ADOPT, contingent upon receipt of additional information prior to budget hearings by SANDAG in May, 1981 and place on a Supplemental Docket. Districts 1, 3, 4 and 7 voted yea. District 5 not present.

FILE: MEET

COUNCIL ACTION: (Tape location: G050-125).

Adopted as Resolution R-254010.

MOTION BY CLEATOR TO ADOPT. Second by Williams. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-not present.

Mayor Wilson-not present.